

## **Jail Standards Board October 13, 2006**

The Jail Standards Board met at 9:00 a.m., Friday, October 13, 2006, at the Nebraska State Office Building, Lincoln, Nebraska. Public notice of the October 13 meeting was published September 29, 2006 in the *Lincoln Journal Star*.

### **CALL TO ORDER--ROLL CALL**

The meeting was called to order at 9:06 a.m. by Acting Chairperson Mike Thurber. The following members were ***present***: Michael Applegate, Isaac Brown, Stuart Delacastro, Jackie Hartnett, Bob Houston and Willis Luedke.

The following members were ***excused***: Deborah Gilg, Ann O'Connor, Gary Reiber and Dennis Hohbein.

Others present included: **Staff Members** - Denny Macomber, Dan Evans, Jef Sevenker, Mike Behm, Chris Harrifeld and Sarah Schoen.

### **APPROVAL OF JULY 21, 2006 MINUTES**

#### **Motion**

***A motion was made by Hartnett and seconded by Applegate to approve the minutes of the July 21, 2006 Jail Standards Board meeting. Voting in favor of the motion: Applegate, Brown, Delacastro, Hartnett, Houston and Luedke. Abstaining from the motion: Thurber. (Motion carried).***

### **STAFF REPORT**

Macomber stated that at the July meeting, the Board approved Northeast Nebraska Community College in Norfolk, Nebraska to present the Jail Initial training only through their college. This training will count as 5.2 credits for the students who complete it and is taught on a quarterly basis. The training began this quarter and is an 80 hour curriculum. The students who complete this training can be hired to work in a facility without the county having to put them through initial training. This is a benefit to counties because they don't have to pay to put them through the two weeks of training. During the last week of October and first week of November, Northeast Nebraska Community College will be conducting the Initial Jail Training for the new Dakota County Jail employees.

Macomber stated that the three main projects opening within the next year, (Hall, Dakota and Scottsbluff), all three of them have been through NICs HONI (How to Open a New Institution) program. Buffalo County hasn't completed the HONI, but Dan has worked extensively with them, and they are moving right along.

The Board had no questions regarding this report and moved on to the next item on the agenda.

## **REVIEW OF ANNUAL INSPECTIONS**

### **A. Facilities Found to be in Full Compliance**

Thurber noted the following facilities have been found in full compliance and copies of their reports were included in the mailout for the members to review: Cass County Jail, Dodge County Jail, Douglas County Corrections, Douglas County Youth Center, Gage County Jail, Jefferson County Jail, Johnson County Jail, Lancaster Correctional Facility, Lancaster County Juvenile Services, Nemaha County Jail, Omaha City Jail, Otoe County Jail, Richardson County Jail, Saline County Jail, Sarpy County Work Release, Thayer County Jail and Washington County Jail.

#### **Motion**

*A motion was made by Delacastro and seconded by Brown to find the Cass County Jail, Dodge County Jail, Douglas County Corrections, Douglas County Youth Center, Gage County Jail, Jefferson County Jail, Johnson County Jail, Lancaster Correctional Facility, Lancaster County Juvenile Services, Nemaha County Jail, Omaha City Jail, Otoe County Jail, Richardson County Jail, Saline County Jail, Sarpy County Work Release, Thayer County Jail and Washington County Jail in full compliance with the Standards. Voting in favor of the motion: Applegate, Brown, Delacastro, Hartnett, Houston, and Thurber. Abstaining from the motion: Luedke. (Motion carried).*

### **B. Facilities Found to be in Non-Compliance**

#### **Douglas County Work Release Center**

Sevenker reported the Douglas County Work Release Center was cited on 48 total Standards violations. Many of these violations are continuations from previous inspections. On the day of inspection, they had 57 inmates housed in the facility, and they have available square footage for only 36 inmates. As we all know, they are building a new facility next to the downtown jail and they anticipate it to be open in the Spring of next year. They are trying to alleviate the overcrowding with day reporting and GPS bracelets for house arrestees. Sevenker recommended the Board find Douglas County Work Release Center in non-compliance with Chapter 7-003, 7-003.01, 7-003.02, 7-003.02A, 7-003.02C, 7-003.03, 7-003.04; Chapter 15-004, 15-005, 15-005.01, 15-005.01A, 15-005.01B, 15-005.01C, 15-005.01D, 15-005.01E, 15-005.01E1, 15-005.01E2, 15-005.01E3, 15-005.01E4, 15-005.01E5, 15-005.01E6, 15-005.01E7, 15-005.01E8, 15-005.01E9, 15-005.01E10, 15-005.01E11, 15-005.01E12, 15-005.01E13, 15-005.01E14, 15-005.01F, 15-005.01G, 15-005.01H, 15-005.01I, 15-005.02, 15-005.02A, 15-005.02B, 15-005.02C, 15-005.03, 15-006.02D, 15-006.07, 15-006.07A&B, 15-006.10, 15-006.19, 15-006.22, 15-008.05, 15-008.07, 15-008.08 and 15-008.09.

Macomber reported that as soon as Douglas County moves into their new facility, he anticipates all these issues will have been addressed through the construction of the new facility, which should be complete sometime in February.

With this in mind, a discussion ensued between Houston, Thurber and Evans about the importance of establishing Work Release Standards versus the regular minimum Jail Standards, which all inspections are currently based upon. This would alleviate all of the “what if’s” or questionable problems that arise throughout various inspections, and there would be no doubt as to the Standards each facility must meet.

**Motion**

*A motion was made by Delacastro and seconded by Brown to find the Douglas County Work Release Center in non-compliance with Chapter 7-003, 7-003.01, 7-003.02, 7-003.02A, 7-003.02C, 7-003.03, 7-003.04; Chapter 15-004, 15-005, 15-005.01, 15-005.01A, 15-005.01B, 15-005.01C, 15-005.01D, 15-005.01E, 15-005.01E1, 15-005.01E2, 15-005.01E3, 15-005.01E4, 15-005.01E5, 15-005.01E6, 15-005.01E7, 15-005.01E8, 15-005.01E9, 15-005.01E10, 15-005.01E11, 15-005.01E12, 15-005.01E13, 15-005.01E14, 15-005.01F, 15-005.01G, 15-005.01H, 15-005.01I, 15-005.02, 15-005.02A, 15-005.02B, 15-005.02C, 15-005.03, 15-006.02D, 15-006.07, 15-006.07A&B, 15-006.10, 15-006.19, 15-006.22, 15-008.05, 15-008.07, 15-008.08 and 15-008.09 of the Standards. Voting in favor of the motion: Applegate, Brown, Delacastro, Hartnett, Houston, Luedke and Thurber. (Motion carried).*

**Fillmore County Jail**

Evans reported the Fillmore County Jail has one staff member who is short a number of in-service training hours required by Chapter 2-003.06. Evans contacted the facility and was informed the staff member would be attending an 8 hour training course on Emergency Management Dispatch/Medical. This training will bring the staff member up to the required 18 hours. Evans recommended the Board find the Fillmore County Jail in full-compliance contingent upon receipt of documentation of this staff member completing the training.

**Motion**

*A motion was made by Applegate and seconded by Brown to find the Fillmore County Jail in full-compliance with Chapter 2-003.06 of the Standards contingent upon receipt of documentation of staff member completing the training. Voting in favor of the motion: Applegate, Brown, Delacastro, Hartnett, Houston, Luedke and Thurber. (Motion carried).*

**Lancaster County Intake & Detention**

Evans reported the Lancaster County Intake & Detention facility has been operating the past few years with an inmate population that exceeds the approved rated capacity according to the Chapter 15 Standards. Evans stated these inmate numbers have improved a little; however, they remain in non-compliance with the Standards given the inmate numbers. Evans recommended the Board find the Lancaster County Intake & Detention facility in non-compliance with Chapter 15-006.19, 15-008.03, 15-008.05 and 15-008.05A of the Standards with the understanding they do have a Corrective Action Plan in place which was previously approved by the Board.

**Motion**

*A motion was made by Delacastro and seconded by Luedke to find the Lancaster County Intake & Detention facility in non-compliance with Chapter 15-006.19, 15-008.03, 15-008.05 and 15-008.05A of the Standards. Voting in favor of the motion: Applegate, Brown, Delacastro, Hartnett, Houston and Luedke. Abstaining from the motion: Thurber. (Motion carried).*

**Sarpy County Jail**

Sevenker reported the Sarpy County Jail has been operating with an inmate population that exceeds the approved rated capacity according to the Chapter 15 Standards. On the day of inspection, Sevenker reported the jail housed 167 inmates, 13 of which were sleeping on the floor, and the facility has an approved rated capacity of 148 inmates. The jail was also cited by the State Fire Marshal on a Life Safety Code Violation. Sevenker reported he also cited the jail on Sanitation in accordance with Chapter 11-010. The Department of Agriculture conducted an inspection of the jails' kitchen, and the inspector cited the facility on 6 critical violations and 15 non-critical violations. Sevenker recommended the Board find the Sarpy County Jail in non-compliance with Chapter 6-004.03, Chapter 11-010, Chapter 15-005.01 and 15-005.05 of the Standards.

**Motion**

*A motion was made by Brown and seconded by Hartnett to find the Sarpy County Jail in non-compliance with Chapter 6-004.03, Chapter 11-010, Chapter 15-005.01 and 15-005.05 of the Standards. Voting in favor of the motion: Applegate, Brown, Delacastro, Hartnett, Houston, Luedke and Thurber. (Motion carried).*

**REVIEW OF CORRECTIVE ACTION**

**Cherry County Jail**

This facility was found out of compliance by the Board during the July 21, 2006 meeting. The facility had been cited for Life Safety Code deficiencies. Jail staff has been advised that the items cited have been corrected, and they are waiting for a re-inspection and approval from the Fire Marshal. Sevenker reported they still had not received documentation from the Fire Marshal approving the Cherry County Jail. No action by the Board was necessary at this time.

**Douglas County Work Release Center**

The facility was re-inspected this quarter and was discussed earlier in this meeting (see the minutes above regarding this facility).

**Douglas County Youth Center**

The facility was re-inspected this quarter and was found in full compliance with the Standards (see the minutes above regarding this facility). Macomber commented that this facility has been out of compliance for three years due to overcrowding. He wanted to go on record commending Brad Alexander and the facility for the efforts made in solving this overcrowding issue. Macomber stated this process was very complex with many problems, and Brad Alexander did an amazing job reining them in and getting this facility back into compliance.

**Holt County Jail**

This facility was found out of compliance by the Board during the July 21, 2006 meeting for Standards related to exercise equipment and medical services. Macomber made an on-site visit and confirmed the medical equipment has been acquired and placed in the medical room. The facility administrator is considering the purchase of exercise equipment from a national vendor, but it has not been completed. No action was taken by the Board at this time.

**Lancaster County Intake & Detention**

The facility was re-inspected this quarter and was discussed earlier in this meeting (see the minutes above regarding this facility).

**Lancaster Correctional Facility**

The facility was re-inspected this quarter and was found in full-compliance with the Standards (see the minutes above regarding this facility).

**Sarpy County Jail**

The facility was re-inspected this quarter and was discussed earlier in this meeting (see the minutes above regarding this facility).

### **Seward County Jail**

This facility was found out of compliance by the Board during the January 13, 2006 meeting. The facility had been cited by the State Fire Marshal's Office. The facility was found in compliance contingent upon receiving documentation that the fire code deficiencies have been corrected. A full compliance letter was sent following the July 21, 2006 meeting.

### **Sheridan County Jail**

This facility was found out of compliance by the Board during the July 21, 2006 meeting on Life Safety Code deficiencies as cited by the State Fire Marshal's Office. This facility was re-inspected and approved by the Fire Marshal's Office on August 24, 2006, and the staff has received confirmation from the Fire Marshal's Office. The staff recommends the Board find the Sheridan County Jail in full compliance.

#### **Motion**

*A motion was made by Brown and seconded by Applegate to find the Sheridan County Jail in full compliance with the Standards based on updated reports. Voting in favor of the motion: Applegate, Brown, Delacastro, Hartnett, Houston, Luedke and Thurber. (Motion carried).*

### **OTHER BUSINESS**

### **Work Release Standards Draft**

Sevenker distributed a draft of the Work Release Standards for the Board to review. Sevenker stated these Standards are a rough draft, and there are still numerous chapters that need to be revised. He pointed out the highlighted areas of the Standards are those which will possibly be deleted, and the ACA Standards as well as other state standards are still being incorporated into this draft. Feedback on what should/should not be included in these Standards is highly encouraged, along with any other appropriate changes. Macomber discussed with the Board a timeframe in which he would like to see these Standards complete.

### **Training Waiver: Lora Hanson, Dakota County**

Thurber reported that Lora Hanson's certificate was included in the pass around file. Hanson is from Sioux County Iowa, is a certified jailer, and now works for Dakota County.

#### **Motion**

*A motion was made by Luedke and seconded by Delacastro to approve the training waiver request of Lora Hanson, Dakota County. Voting in favor of the motion: Applegate, Brown, Delacastro, Hartnett, Houston, Luedke and Thurber. (Motion carried).*

### **Sarpy County**

Evans commented on how the Sarpy County corrective action plan to diminish overcrowding involved tweaking public policy, which is very common. However, this has been a 2 ½ year process and they are not having the success anticipated to bring their inmate population down. Evans stated in the near future, it will be very apparent that Sarpy County is not likely to add on to their jail if their public policy hasn't been amended enough to reduce their population. Evans believes this may be a situation where the Board would want to consider some timeframes be implemented.

### **Dodge County Statistics**

Houston posed the following question to the staff (Macomber, Sevenker and Evans): “Does Dodge County provide data?” Evans reported that Dodge County is one of the three facilities in Nebraska that does not submit the admission and release documentation to the Crime Commission electronically using the JAMIN system. They have a somewhat compatible system; however, the data has been inaccurate at times. According to the Standards sent through the Administrative Procedures Act and the Governor’s Office, Chapters 2, 3 and 4 involve a mandate that local jurisdiction will either use the JAMIN system and/or submit the data to us electronically. Macomber stated that during inspections at Dodge County, they look at daily logs on-site as opposed to having it on a print out. Macomber stated this problem should be resolved within a year when the revisions of the Standards are passed, and all counties will be required to provide the data in the same format.

### **Suicides/Serious Incidents**

Houston posed the following question to the Board: “If there are serious incidents or suicides that occur, is there any information or training that could be provided to help prevent them from happening in the future?” Macomber reported that jail administrators telephone him whenever a suicide takes place, and he in turn keeps statistics on these for future reference. Over the years, Macomber stated that he has responded numerous times to questions regarding what actions are taken. Macomber informed the Board that jails are required to have a policy in place as to how they would respond to suicides or serious incidents. He also reported that training is provided during the Initial Jail Training Program as well as at the annual Jail Standards conference on how to handle suicides or serious incidents. Houston discussed with the Board how he wants to eliminate suicides by looking for specific areas that are common denominators which would help work towards this goal. Macomber reported that since we began keeping statistics, last year (2005) was the first year there were no successful suicides in jails. He believes this is in direct correlation with the fact that we are providing more training on suicides and how to prevent them from happening.

### **ADJOURNMENT/NEXT MEETING**

The next regularly scheduled meeting of the Jail Standards Board is scheduled for **9:00 a.m., Friday, January 12, 2007** at the Nebraska State Office Building, in the Lower Level A Conference Room.

There being no further business, Acting Chair Mike Thurber called for a motion to adjourn the meeting.

#### **Motion**

*A motion was made by Applegate and seconded by Brown to adjourn the meeting. The motion passed unanimously by acclamation.*

Acting Chair Mike Thurber declared the meeting adjourned at 10:11 a.m.

Respectfully submitted,

Sarah J. Schoen  
Administrative Assistant